



PATENT
Attorney Docket No.: MEDIV2010-4

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Epstein et al. Art Unit: 1636
Application No.: 10/618,183 Examiner: R. Akhavan
Filed: July 10, 2003 Conf. No.: 4304
Title: INJECTION OF BONE MARROW-DERIVED CELLS AND MEDIUM
FOR ANGIOGENESIS

Commissioner for Patents
Office of Initial Patent Examination
Customer Service Center
P.O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL LETTER

Sir:

Transmitted herewith for filing in connection with the above-identified patent application,
please find the following:

- (1) Request for Corrected Filing Receipt; (2 pgs)
- (2) Copy of Filing Receipt reflecting changes; (2 pgs)
- (3) Copy of Recorded Assignment; (2 pgs) and
- (4) Return postcard.

CERTIFICATION UNDER 37 CFR §1.8	
I hereby certify that the documents referred to as enclosed herein are being deposited with the United States Postal Service as first class mail on this date, <u>7-27-05</u> , in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231	
<u>Yima M. Najjar</u> (Name of Person mailing Paper)	
<u>[Signature]</u> (Signature of Person Mailing Paper)	<u>7-27-05</u> Date

In re Application of:

Epstein et al.

Application No.: 10/618,183

Filed: July 10, 2003

Page 2

PATENT

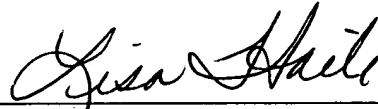
Attorney Docket No.: MEDIV2010-4

No fee is deemed necessary in connection with the filing of this paper. However, if any fee is required, the Commissioner is hereby authorized to charge the amount of this fee, or credit any overpayments, to Deposit Account No. 07-1896. A copy of this Transmittal Letter is enclosed.

Respectfully submitted,

Date: _____

7/27/05



Lisa A. Haile, J.D., Ph.D.

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Applicants:	Epstein et al.	Art Unit:	1636
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P.O. Box 1450
Alexandria, VA 22313-1450

REQUEST FOR CORRECTION OF FILING RECEIPT

Sir:

This Communication is submitted to request correction of the filing receipt in reference to the above-identified application. The data requiring correction is indicated in yellow highlight on the attached copy of the filing receipt and herein in **BOLD**.

Please correct the Assignee from "Foundry Networks, Inc." to **-Myocardial Therapeutics, Inc.--**.

Applicants accordingly request the correction be made of record.

CERTIFICATION UNDER 37 CFR §1.8	
I hereby certify that the documents referred to as enclosed herein are being deposited with the United States Postal Service as first class mail on this date, <u>7-27-05</u> , in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231	
<u>Vinla M. Nagar</u>	
(Name of Person mailing Paper)	
<u>[Signature]</u>	<u>7-27-05</u>
(Signature of Person Mailing Paper)	Date

In re Application of:
Epstein et al.
Application No.: 10/618,183
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Page 2

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Respectfully submitted,

Date: _____

7/27/05

Lisa A. Haile

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APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/618,183	07/10/2003	1636	716	MEDIV2010-4	4	46	4

CONFIRMATION NO. 4304

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CORRECTED FILING RECEIPT



OC000000016162706

Date Mailed: 06/01/2005

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please mail to the Commissioner for Patents P.O. Box 1450 Alexandria Va 22313-1450. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Stephen Epstein, Rockville, MD;
Shmuel Fuchs, Rockville, MD;
Ran Kornowski, Ramat-Hasharon, ISRAEL;
Martin B. Leon, New York, NY;
Kenneth W. Carpenter, San Diego, CA;

Assignment For Published Patent Application

~~Foundry Networks, Inc., a Delaware Corporation~~

Myocardial Therapeutics, Inc.

-- Please correct --

Power of Attorney:

June Learn-31238

Domestic Priority data as claimed by applicant

This application is a CIP of 10/160,514 05/30/2002
which is a CIP of 09/868,411 06/14/2001
which is a 371 of PCT/US00/08353 03/30/2000
which claims benefit of 60/126,800 03/30/1999
and claims benefit of 60/138,379 06/09/1999

Foreign Applications

If Required, Foreign Filing License Granted: 10/14/2003

The country code and number of your priority application, to be used for filing abroad under the Paris

Convention, is **US10/618,183**

Projected Publication Date: Not Applicable

Non-Publication Request: No

Early Publication Request: No

**** SMALL ENTITY ****

Title

Injection of bone marrow-derived cells and medium for angiogenesis

Preliminary Class

514

**LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15**

GRANTED

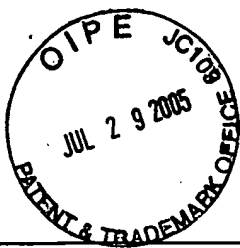
The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

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NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).



UNITED STATES PATENT AND TRADEMARK OFFICE

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE

MARCH 22, 2005

PTAS

GRAY CARY WARE & FREIDENRICH LLP
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4365 EXECUTIVE DRIVE, SUITE 1100
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102843592A

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UNITED STATES PATENT AND TRADEMARK OFFICE
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 09/23/2004

REEL/FRAME: 015806/0764
NUMBER OF PAGES: 6

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).
DOCKET NUMBER: MEDIV2010-4

ASSIGNOR:
EPSTEIN, STEPHEN

DOC DATE: 03/07/2004

ASSIGNOR:
FUCHS, SHMUEL

DOC DATE: 03/08/2004

ASSIGNOR:
KORNOWSKI, RAN

DOC DATE: 06/03/2004

ASSIGNOR:
LEON, MARTIN B.

DOC DATE: 10/09/2003

ASSIGNOR:
CARPENTER, KENNETH W.

DOC DATE: 03/08/2004

ASSIGNEE:

MYOCARDIAL THERAPEUTICS, INC.
6350 NANCY RIDGE DRIVE, SUITE 103
SAN DIEGO, CALIFORNIA 92121

SERIAL NUMBER: 10618183

FILING DATE: 07/10/2003

PATENT NUMBER:

ISSUE DATE:

TITLE: INJECTION OF BONE MARROW-DERIVED CELLS AND MEDIUM FOR ANGIOGENESIS

PAULA MCCRAY, EXAMINER
ASSIGNMENT DIVISION
OFFICE OF PUBLIC RECORDS